



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Finance

Representative Sylvia Luke, Chair

Representative Scott Nishimoto, Vice Chair

Thursday, February 25, 2016, 1:00 PM – Agenda #2
State Capitol, Conference Room 308

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 2121, H.D. 2, Relating to Legal Services.

Purpose: House Bill No. 2121, H.D. 2 appropriates moneys from the general fund for civil legal services for low- and moderate-income persons to be purchased by the Judiciary.

Judiciary's Position:

The Judiciary strongly supports House Bill No. 2121, H.D. 2 to appropriate funds for civil legal services providers to deliver civil legal services to low- and moderate-income persons. Civil legal services providers extend a lifeline to the most vulnerable in our community. The amount requested will restore funding for civil legal services for low- and moderate-income persons to pre-recession levels through contracts administered by the Judiciary.

House Resolution No. 12, H.D. 1 and Senate Resolution No. 6, S.D. 1 (2015) requested the Hawai‘i Access to Justice Commission to assemble state and community entities to determine and report which agency or organization should administer funding for civil legal services to low- and moderate-income persons. The resolution requested that the report include a history of state funding of civil legal services, issues historically faced by civil legal service providers, analysis of assigning administration to governmental entities, recommended level of funding and proposed legislation. This bill reflects the recommendations of the Working Group.



House Bill No. 2121, H.D. 2, Relating to Legal Services
House Committee on Finance (Agenda #2)
Thursday, February 25, 2016, 1:00 PM
Page 2

The Judiciary concurs with the recommendations of the Working Group that the Judiciary administer the funding, and the Judiciary supports the Working Group's recommendation that the Judiciary be given the discretion to contract the administration of the funding with a nonprofit organization with at least five years' experience in administering grants to providers of civil legal services. Compensation for the administration is recommended to be limited to not more than five per cent of the total amount allocated for these services each fiscal year.

However, the Judiciary can only support these recommendations if such funding is not taken from the Judiciary's general operating funds or other critical needs. As noted in the report, the Judiciary has a significant concern that any funds provided by the Legislature be additional funding and not be made at the expense of the Judiciary's current budget requests and base budget, which would impact operations including contracts for treatment and prevention.

By establishing this process and restoring funding, providers of civil legal services will be able to plan and manage the delivery of much needed legal assistance to low- and moderate income persons.

Thank you for the opportunity to testify on this bill.



**VOLUNTEER LEGAL
SERVICES HAWAII**

**TESTIMONY IN SUPPORT OF HB2121 HD 2
RELATING TO LEGAL SERVICES**

**Committee on Finance
Thursday, February 25, 2016 at 1:00 p.m.
Conference Room 308**

TO CHAIR LUKE, VICE CHAIR NISHIMOTO, AND MEMBERS OF THE COMMITTEE
ON FINANCE:

Volunteer Legal Services Hawaii strongly supports passage of H.B. 2121 H.D. 2.

I am the Executive Director of Volunteer Legal Services Hawaii ("Volunteer Legal"). I also serve as a Commissioner on the Access to Justice Commission, and am a member of the Hawaii State Bar Association. Volunteer Legal has been providing civil legal services to the low- and moderate-income community in the State of Hawaii for 35 years. It does so in partnership with volunteer attorneys who donate their personal time and professional skills to ensure that the people who live in poverty or near poverty have meaningful access to legal services.

Each day, Volunteer Legal staff speak with individuals and families experiencing a legal crisis affecting very basic aspects of their lives: housing, financial stability, ability to maintain relationships with their children, and the ability to care for a vulnerable family member. Those who qualify for our services have limited personal resources, and often times face social barriers. Through a variety of direct services: outreach, education, legal advice and counseling, guidance for self-representation, and full-representation, staff and volunteer attorneys are able to provide meaningful assistance to those with civil legal needs.

Funding for civil legal aid services is an investment that not only provides our community with an important resource, but saves our state money in the long run. Civil legal aid, when used effectively can help reduce dependency on costly social services. For example, a single mother is able to move out of a shelter and afford an apartment after receiving assistance in enforcing her child support order, or when a child avoids entering the foster care system after his grandfather receives help establishing legal guardianship.

Unstable funding undermines the ability of civil legal service programs like Volunteer Legal to effectively develop, maintain, and deliver services. An appropriation for civil legal services for the low and moderate income community ensures that programming and services remain a reliable resource for those who need it the most.

On behalf of Volunteer Legal Services Hawaii and those we serve, I respectfully request passage of HB 2121 H.D. 2. Thank you for the opportunity to be heard.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle D. Acosta", with a stylized flourish extending from the end.

Michelle D. Acosta
Executive Director



Telephone: (808) 536-4302 • Fax: (808) 527-8088
Mailing Address: P.O. Box 37375 • Honolulu, Hawaii 96837-0375
924 Bethel Street • Honolulu, Hawaii 96813

Jodi S. Yamamoto, Esq.
President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

TESTIMONY IN SUPPORT OF HB2121 HD2 – RELATING TO LEGAL SERVICES.

Committee on Finance - Room 308

Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice-Chair

February 25, 2016 at 1:00 p.m.

The Legal Aid Society of Hawaii submits testimony in support of HB2121 HD2 – Relating to Legal Services.

This bill would go to restoring general revenue funding for civil legal services. We would ask that such funding be restored to 2008 levels of \$2,159,632 through a recurring purchase of service contract through the Judiciary. Civil legal services are critical in that they can provide real world solutions to help families in crisis find stability and hope. The recommendation for this funding was the result of an off-session working group established by HR12 which requested the Hawaii Access to Justice Commission to Assemble Various State and Community Entities to Determine which Agency or Organization should Administer Funding for Civil Legal Services to the Low- and Moderate-Income.

The Legal Aid Society of Hawai'i has provided civil legal services to the community for over 65 years. Through our ten offices which include one on each of the major Hawaiian islands, our staff assist residents of Hawai'i to navigate and solve basic issues which require legal interventions. In 2015, our staff of 100 closed over 8,500 cases and opened almost 9,800 in legal areas ranging from family, housing, consumer, foreclosure, public benefits, elder law, homelessness, immigration, language access, and child welfare. In most of these cases, we are only able to provide legal counsel and advice or provide brief services which includes assisting with the completion of court forms and explaining the court process. Because of our limited resources, we were only able to assign an attorney or paralegal for representation in 13.25% of these cases or 1,248 cases. The provision of this funding for the purchase of additional civil legal services will go a long way to increasing the number of people in the community that we are able to assist.

As members of the Committee on Finance, we ask for your support on this measure as it will help to increase our community's ability to bring civil legal services to those most in need.

Thank you for this opportunity to provide testimony.

Sincerely,

M. Nalani Fujimori Kaina
Executive Director



Hon. Simeon R. Acoba
Associate Justice (Ret.)
Hawai'i Supreme Court
Chair

Derek R. Kobayashi
Vice Chair

HAWAI'I ACCESS TO JUSTICE COMMISSION

Commissioners:
Hon. Edmund D. Acoba
Michelle Acosta
Rep. Della Au Belatti
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Rona Fukumoto

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Hon. Karen T. Nakasone
Diane T. Ono
Gary M. Slovin
Dean Aviam Soifer

February 24, 2016

The Honorable Sylvia Luke, Chair
The Honorable Scott Y. Nishimoto, Vice Chair
House Committee on Finance
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: HB 2121, HD 2
Hearing: February 25, 2016 at 1:00 p.m.
Testimony in SUPPORT

Dear Chair Luke, Vice Chair Nishimoto and members of the House Committee on Finance:

The Hawai'i Access to Justice Commission supports House Bill No. 2121, H.D. 2 inasmuch as the bill arises as a recommendation of the plan submitted by of the "Working Group to Determine a Funding Administrator of Civil Legal Services," and the Commission has previously reviewed and approved the Working Group's plan. A copy of former Hawai'i Access to Justice Commission Chair Honorable Daniel R. Foley's December 30, 2015 letter in support of and transmitting the Working Group's plan to the Speaker of the House of Representatives is enclosed for your reference.

To reiterate, as stated in Judge Foley's letter, the Commission supports all efforts in the plan by nonprofit organizations that provide civil legal services to the low- and moderate-income Hawai'i residents. The Commission supports all civil legal services providers in their efforts to provide access to justice to those who are currently underserved. The perspective of

The Honorable Sylvia Luke, Chair
The Honorable Scott Y. Nishimoto, Vice Chair
February 24, 2016

the Commission is to be all-inclusive in terms of funding for those civil legal services that provide access to justice to those who are currently underserved.

If you have any questions, I can be reached via telephone at 523-6060, or via email at dkobayashi@schlackito.com.

Very truly yours,

/s/ Derek R. Kobayashi

DEREK R. KOBAYASHI
Vice Chair
Hawai'i Access to Justice Commission

Encl.



Hon. Daniel R. Foley
Associate Judge
Intermediate Court of Appeals
Chair

HAWAII ACCESS TO JUSTICE COMMISSION

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Michelle Acosta
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Sen. Gilbert Keith-Agaran
Derek Kobayashi
Mary Anne Magnier

Carol K. Muranaka
Hon. Trudy Senda
Gary M. Slovin
Dean Aviam Soifer
George J. Zweibel

December 30, 2015

Email transmission

repsouki@Capitol.hawaii.gov

Honorable Joseph M. Souki
Speaker of the House
Hawaii State Capitol
415 South Beretania Street, Room 431
Honolulu, HI 96813

Re: House Resolution No. 12, H.D. 1, Requesting the Hawaii
Access to Justice Commission to Assemble Various State and
Community Entities to Determine Which Agency or
Organization Should Administer Funding for Civil Legal
Services to Low- and Moderate-Income Individuals

Dear Speaker Souki:

Pursuant to House Resolution No. 12, H.D. 1, the Hawai'i Access to Justice Commission was requested to assemble a "working group of interested government agencies and community entities to conduct meetings to develop a plan for determining which agency or organization should administer funding for civil legal services."

The plan of the Working Group to Determine a Funding Administrator of Civil Legal Services¹ is hereby submitted.

The Working Group recommended that the Judiciary be assigned the administration of funding for civil legal services. The Working Group's plan was reviewed by the Hawai'i Access to Justice Commission on December 21, 2015, and was approved. The Commission supports all efforts in the plan by nonprofit organizations that provide civil legal services to the low-and moderate-income Hawai'i residents. The perspective of the Commission is to be all-

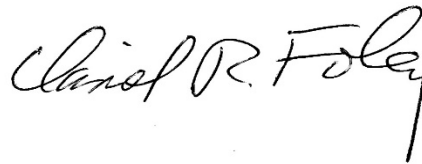
¹ A list of the Working Group's members is attached to the plan as Attachment A.

inclusive in terms of funding for all civil legal services that provide access to justice to those who are currently underserved.

The Commission commends the Working Group for its diligence in preparing the aforementioned plan. The Working Group met on Tuesday, August 11, 2015; Tuesday, September 15, 2015; Tuesday, October 20, 2015; Monday, November 9, 2015; and Tuesday, December 15, 2015.

If you have any questions, please telephone me at 539-4698, or email me at Daniel.R.Foley@courts.hawaii.gov.

Very truly yours,

A handwritten signature in black ink that reads "Daniel R. Foley". The signature is written in a cursive, flowing style with a long vertical stroke at the end.

DANIEL R. FOLEY
Associate Judge
Intermediate Court of Appeals
Chair
Hawai'i Access to Justice Commission

cc: Chief Justice Mark E. Recktenwald
Hawai'i Supreme Court



TO: Chair Sylvia Luke
Vice Chair Scott Nishimoto
Members of the Committee on Finance

FR: Nanci Kreidman, M.A.
Chief Executive Officer

RE: H.B. 2121 HD2

Aloha, and thank you for hearing H.B. 2121 HD2 today. It has long been apparent to the organizations providing legal services to the community, and to those needing assistance, that there are scarce resources invested in the delivery of legal services.

Access to justice is a phrase and a real concept that has swept the nation and resides in the hearts of our Hawaii communities. In order to meet or move in the direction of achieving such a lofty goal, there must be a larger investment of funds. When individuals, families, marginalized communities, differently abled, low income people and victims of domestic violence are represented adequately, or provided with necessary information to navigate the legal system, it serves the interests of the community as a whole.

The legal system is not a familiar or user friendly system for people unacquainted with it. Assistance to find redress or remedy helps people regain balance, stability and impetus to become contributing members of the community. It is also, most certainly, good for the courts to have parties with representation. Better outcomes, better management of court calendars and more timely resolution of challenges stands to serve us all.

Funds included in this Bill shall help to restore the loss of funds during the economic crisis and build momentum for efforts intended to really meet community need.

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O'ahu Helpline: 808 531-3771 | Toll-free: 800 690-6200 | Administration: 808 534-0040 | Fax 808 531-7228
dvac@stoptheviolence.org | www.domesticviolenceactioncenter |
facebook.com/domesticviolenceactioncenterhawaii



From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 23, 2016 2:08 PM
To: FINTestimony
Cc: louis@hawaiidisabilityrights.org
Subject: *Submitted testimony for HB2121 on Feb 25, 2016 13:00PM*

HB2121

Submitted on: 2/23/2016

Testimony for FIN on Feb 25, 2016 13:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Hawaii Disability Rights Center	Support	No

Comments:

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CATHOLIC CHARITIES HAWAII

TESTIMONY IN SUPPORT OF HB 2121, HD2: RELATING TO LEGAL SERVICES

TO: Representative Sylvia Luke, Chair; Representative Scott Y. Nishimoto, Vice Chair, and Members Committee on Finance

FROM: Betty Lou Larson, Legislative Liaison, Catholic Charities Hawaii

Hearing: Thursday, 2/25/16; 1:00 pm; Conference Room 308

Thank you for the opportunity to provide written testimony in support of HB 2121, HD2, which would appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 60 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services and advocacy to the most vulnerable of the people in Hawai'i.

In response to House Resolution No. 12, HD1 (2015), the Access to Justice Commission gathered many stakeholders, including Catholic Charities Hawai'i, to develop a plan for how to administer funding for civil legal services for low- and moderate-income people. This bill is the result of this working group which has recommended funding of \$2,159,632 to restore legal services to this very vulnerable group to pre-recession levels. The working group also recommended that the funding be appropriated to the Judiciary to contract services with civil legal services providers.

Having participated in this work group, Catholic Charities Hawai'i supports this bill to ensure that the fundamental human needs of this vulnerable population be addressed. Lack of effective access to the civil justice system is widespread. While thousands each year must represent themselves due to lack of funds to hire an expensive lawyer, they can be overwhelmed by the system. Many may just give up. Ensuring that people have the right to a fair hearing when their legal rights are threatened is critical.

Thank you for the opportunity to testify. We urge you to support this bill. Please contact me at (808) 373-0356 or bettylou.larson@catholiccharitieshawaii.org if you have any questions.



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(1987-2011)

TESTIMONY IN SUPPORT OF HB 2121, HD2 RELATING TO LEGAL SERVICES

Committee on Judiciary
Thursday, February 25, 2016 at 1:00 p.m.
Conference Room 308

February 23, 2016

TO CHAIR LUKE, VICE CHAIR NISHIMOTO, AND MEMBERS OF THE COMMITTEE ON FINANCE:

I strongly support the appropriation of funds for purchase of civil legal services for low and moderate income individuals in Hawai'i.

I am a Partner at Bays Lung Rose & Holma, and President of Volunteer Legal Services Hawaii. Although I write this testimony in my personal capacity (and not on behalf of Bays Lung Rose & Holma), my job has given me insights into the great legal needs of lower income citizens of Hawai'i.

Volunteer Legal Services Hawaii coordinates and facilitates pro bono work by private practice attorneys for low and moderate income individuals in civil matters such as family law, adoption, divorce, and other civil disputes. Appropriations such as those requested here fund the organization's administrative functions, which in turn leverage the efforts of the private bar.

Organizations such as Volunteer Legal Services Hawaii fulfill a critical function within our legal system by ensuring access to the legal system and justice for all. It is increasingly difficult for both poor and working class people to obtain basic legal assistance. Volunteer Legal Services address that need. I urge passage of HB 2121 H.D.2 to ensure continued funding for these critical activities.

Thank you for your support.

Best regards,

A handwritten signature in black ink, appearing to read "R. Engle".

Ryan H. Engle

RHE:tsm

BAYS
LUNG
ROSE
HOLMA

Topa Financial Center
700 Bishop Street, Suite 900
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FACSIMILE TRANSMITTAL

DATE: February 23, 2016 BLRH CASE NO.: 0000-906

TO: To the Chair, Vice Chair, FAX NO.: (808) 586-6311
And Members of the Committee 1-800-535-3859

FROM: Tawnya Muramoto, SENDING 2 PAGES
Legal Assistant (INCLUDING TRANSMITTAL)

RE: Volunteer Legal Services Hawaii Funding

REMARKS/DESCRIPTION OF DOCUMENT(S) TRANSMITTED:

Transmitting correspondence of today's date from Ryan H. Engle, Esq.

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A LIMITED LIABILITY LAW COMPANY

February 24, 2016

VIA FACSIMILE (1-800-535-3859)

Committee on Finance
House of Representatives
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Writer's Direct Dial: (808) 540-4503
Writer's Email: jyamamoto@ychawaii.com

Re: **HB 2121 – Relating to Legal Services**

Dear Chair, Vice Chair Nishimoto and Members of the Committee:

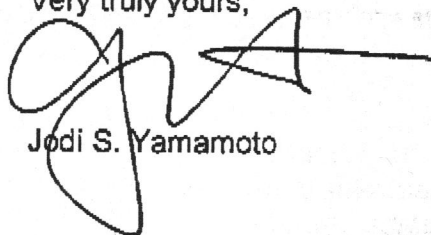
I am writing to express my strong support for HB 2121 and the appropriation of general revenue funds for the purchase of civil legal services for low and moderate income individuals.

I am privileged to serve as the President the Legal Aid Society of Hawaii ("LASH") where I have been a member of the board since 2004. LASH and other organizations like it are vital to our community. They help to ensure that the most vulnerable members of our society have access to quality legal services to ensure their most basic needs including food, shelter, and physical safety. However, limited resources impair LASH's ability to provide these services to all who need them. Through the passage of HB 2121, additional funding will be available to increase the reach of LASH and enable LASH to assist more members of our community with these basic needs.

I strongly urge you to support HB 2121.

Thank you for the opportunity to provide testimony and for your careful consideration of this matter.

Very truly yours,



Jodi S. Yamamoto



Law Office of
Rebecca A. Copeland
LLC

February 23, 2016

Chair Sylvia Luke
Vice Chair Scott Y. Nishimoto
Committee on Finance,
House of Representatives
State of Hawai‘i
Honolulu, HI

***House Bill 2121 HD2, Relating to Legal Services
Testifying in STRONG SUPPORT***

Dear Chair Luke, Vice Chair Nishimoto and Committee Members:

I write in strong support of HB2121 HD2 RELATING TO LEGAL SERVICES, a bill being considered by this Committee on Tuesday February 9, 2016. As you know, this bill would appropriate monies from the general fund for civil legal services for low- to moderate-income persons to be purchased by the judiciary.

I am a local attorney. As a member of the Hawaii State Bar Association, I am in my second term on the Board of Directors for the HSBA as an Oahu Director. I also serve as a Board Member on the City and County of Honolulu’s Zoning Board of Appeals, a position I have held for several years. I am also a Board Member on the Hawaii LGBT Legacy Foundation and Equality Hawaii. My testimony is not submitted in my official capacity for any of the above organizations, but in my personal capacity.

As a member of the Hawaii bar, and a member of the Access to Justice Commission’s Committee on Increasing Pro Bono Legal Services, I have helped create a new program to match low to moderate income pro se appellate litigants with attorneys willing to represent them on a pro bono basis. The Appellate Pro Bono Pilot Project was approved by the Hawaii Supreme Court last year, and accepted its first client in December 2015. The partners for the Pilot Project are the HSBA Appellate Section and Volunteer Legal Services of Hawaii. The Pilot Project fills an area where there was a need for pro bono attorney assistance that was not previously being served.

The partnership with Volunteer Legal Services of Hawaii is instrumental to the success of the program, however, because VLSH maintains oversight of the cases that are handled through the Pilot Project, it must allocate its own resources to the Pilot Project even though there is not a

separate funding mechanism to compensate VLSH for this service. Also, because this is a Pilot Project, there are many cases that will not be eligible for the program – and many pro se litigants who will nevertheless need legal assistance on appeal. As this committee is aware, there are many individuals at all stages of court cases that cannot afford market attorney rates, and who are denied justice merely because they cannot do so.

HB2121 HD2 is important because it will provide funding to assist a growing population in our state of individuals who need and deserve to access the courts, but cannot afford to hire an attorney. Mahalo for your consideration of HB2121 HD2.

Sincerely,

A handwritten signature in black ink that reads "Rebecca A. Copeland". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Rebecca A. Copeland

**TESTIMONY IN SUPPORT OF HB2121 H.D. 2
RELATING TO LEGAL SERVICES**

Committee on Finance
Thursday, February 23, 2016 at 1:00 p.m.
Conference Room 308

CHAIR LUKE, VICE CHAIR NISHIMOTO, AND COMMITTEE MEMBERS:


I am an attorney licensed to practice in Hawai'i and am writing in support of HB2121, HD2. Prior to my moving to the Kaua'i's County Attorney's Office in November 2014, I had been a regular volunteer attorney with Volunteer Legal Services Hawai'i ("VLSH"). One of the principal reasons why I kept volunteering with VLSH was because of the gratification I received from consulting with VLSH clients during its legal clinics and other events. These individuals were typically very appreciative of the services that VLSH facilitated, even when the advice I gave to them was not particularly positive. Their appreciation suggested to me that there is a continued need within the community to keep providing these legal services.

For similar reasons, I also took up a pro bono guardianship case in Kaua'i that was facilitated by VLSH. One particularly compelling reason why I took up this case was because I felt the client was being taken advantage of by the opposing party (who was represented) because she didn't have an attorney. For example, the opposing party had repeatedly withheld visitation of the subject child from my client in violation of the court's visitation order. Again, this experience underscored to me the importance of facilitating pro bono legal services where possible, as even individuals with a strong case, such as my former client, may be detrimentally affected without proper counsel to guide them through the legal labyrinths.

I also understand that pending funding, VLSH may expand more of its services to the outer islands. I hope VLSH will be successful in this regard. Based on my conversation with a judge and other litigants here in Kaua'i, there is definitely a need for pro bono legal services in family law here.

To this end, I hope that you will support HB2121 H.D.2 and facilitate the good and meaningful work that VLSH provides.

Respectfully,



Signature

Philip Dureza

Printed Name

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 23, 2016 8:32 PM
To: FINTestimony
Cc: alohilani7@gmail.com
Subject: Submitted testimony for HB2121 on Feb 25, 2016 13:00PM

HB2121

Submitted on: 2/23/2016

Testimony for FIN on Feb 25, 2016 13:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Alohilani Hue Sing	Individual	Support	No

Comments: Please support this Bill so that vital legal services may be accessed by our community who otherwise cannot financially afford the legal services of justice.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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TESTIMONY OF THOMAS D. FARRELL
Regarding House Bill 2121, HD 2 Relating to Legal Services

Committee on Finance
Rep. Sylvia Luke, Chair

Thursday, February 25, 2016, 1:00 p.m.
Conference Room 308, State Capitol

Good morning Representative Luke and members of the Committee:

I strongly support this bill.

I run a small law firm concentrating in Family Law. All of us are volunteer attorneys with Volunteer Legal Services Hawaii (VLSH), and I serve on its board. We see, first hand, the need for civil legal services to be provided to those who would otherwise have no access to justice. This bill will not only help fund VLSH, but it will provide financial support to the Legal Aid Society and other partners in the legal services community.

Indulge me, if you will, and let me take a moment to tell you about VLSH.

Earlier this month, I handled an adoption for a woman who has been in casual possession of a seven year old girl for the past five years. The child's mother has been in and out of prison, and the father is unknown. My client needs to have the legal authority to act as a parent, and also to make sure that mom doesn't demand the return of this child in a drug induced moment. The paperwork for an adoption is daunting, even for lawyers. My client---who makes about \$1,500/month---would never be able to afford to hire an attorney at \$300/hour. She's getting her adoption done through VLSH at no charge. And, by the way, the taxpayers of Hawaii benefit from this too. This child will remain in a safe and loving home, and will not be one of those who are in our CPS system and in foster care at taxpayer expense.

That's just one example of why civil legal services are vital, but they aren't free. My time may be free, but it takes an organization like VLSH to screen the cases, recruit the attorney volunteers, and match clients to lawyers. VLSH complements the work of the Legal Aid Society, which does not rely on volunteers, but also is an important partner in helping to provide access to justice. In fact, 40% of VLSH intakes are cases that Legal Aid was not able to accept.

VLSH has an annual budget of around \$600,000 year. We do fundraising, we get private grants, we get some of the interest on lawyers' trust accounts, and we get support from the bar. But for

Divorce ♦ Paternity ♦ Custody ♦ Child Support ♦ TROs ♦ Arbitration
also handling national security cases involving revocation or denial of security clearances

700 Bishop Street, Suite 2000, Honolulu, Hawaii 96813
Telephone 808.535.8468 ♦ Fax 808.585.9568 ♦ on the web at: www.farrell-hawaii.com

*Certified by the National Board of Trial Advocacy. The Supreme Court of Hawaii grants Hawaii certification only to lawyers in good standing who have successfully completed a specialty program accredited by the American Bar Association.

Testimony of Thomas D. Farrell
HB 2121, HD 2
February 25, 2016
page 2

the last several years, we haven't been able to make it without a GIA. That GIA was supposed to be a temporary measure. We have lurched from year to year, struggling to keep our doors open.

Last year, the Legislature created a task force on funding civil legal services, and their ultimate recommendation was that the best answer was to create a line item in JUD 100. This bill makes the appropriation and places it in the Judiciary. That will create a stable base of funding.

This is a modest investment that will do great good.

Testimony to the Committee on Finance
Thursday, February 25, 2016 1:00 pm
Conference Room 308, State Capitol
RE: Testimony in Support of House Bill 2121 HD2

Chair Luke, Vice Chair Nishimoto and Members of the Committee on Finance,

I am writing to express my strong support for HB 2121, which appropriates moneys from the general fund to allow the Judiciary to purchase legal services for low and moderate income persons.

I see first-hand how important legal services are for low and moderate income people in Hawaii as a Director and Treasurer of the Legal Aid Society. Every day, Legal Aid helps individuals and families in our communities with housing, immigration, healthcare, benefits, identification and more.

I urge the Committee on Finance to support this Bill to fund additional legal services that are needed in our communities.

Thank you for the opportunity to testify.

Joseph Boivin, Jr.

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Thank you for the opportunity to testify.

Joseph Boivin, Jr.

Trever Asam
Cades Schutte
1000 Bishop St., Suite 1200
Honolulu, HI 96813

HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

COMMITTEE ON FINANCE
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

TESTIMONY IN SUPPORT OF HB 2121, HD2

To the Chair, Vice Chair, and Members of the Committee,

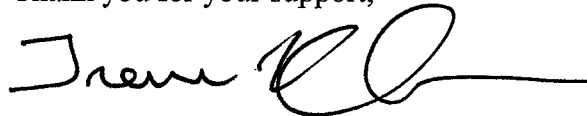
I strongly support the appropriation of funds for the purchase of civil legal services for low and moderate income individuals.

I am a partner at the law firm of Cades Schutte, our firm's pro bono coordinator, and a director and Vice President of Volunteer Legal Services Hawaii.

Volunteer Legal Services Hawaii coordinates and facilitates pro bono work by private practice attorneys for low and moderate income individuals in civil matters including divorce, adoption, family law, and other civil disputes. Appropriations such as those requested here fund the organization's administrative functions, which in turn leverage the efforts of the private bar.

Organizations such as Volunteer Legal Services Hawaii fulfill a critical function within our legal system by ensuring access to that system and justice for all. I urge passage of HB 2121 to ensure continued funding for these activities.

Thank you for your support,

A handwritten signature in black ink, appearing to read 'Trever K. Asam', with a long horizontal flourish extending to the right.

Trever K. Asam

DOI / LUKE

Attorneys At Law, A Limited Liability Law Company

GAVIN K. DOI
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E-mail: gkdoi@islandlawyers.com

TESTIMONY IN SUPPORT OF HB 2121, HD1 RELATING TO LEGAL SERVICES

Thursday, February 25, 2016 at 1:00 p.m.
Committee on Finance
Conference Room 308

CHAIR LUKE, VICE CHAIR NISHIMOTO, AND MEMBERS OF THE COMMITTEE ON FINANCE:

My name is Gavin K. Doi, and I respectfully submit my testimony in support of House Bil 2121.

I am an attorney in private practice licensed in the State of Hawaii for over twenty years. During that time, I have been fortunate enough to be in a position to engage in pro bono activity in my free time. This involves helping those who have little to no financial resources through various non-profit organizations including Volunteer Legal Services Hawaii and court-based services. I have conducted clinics and classes, volunteered at advice and counsel sessions, assisted pro se litigants in representing themselves, and represented individuals in contested cases. As a private practice attorney in the field of divorce and family law for my entire legal career, I know the costs of professional legal services, as well as the inability of the majority of everyday people to afford such services.

Dedicated funds for civil legal services to Hawaii's low-income community is critical in ensuring a fair legal system. Civil legal services that address **basic** needs in Hawaii such as housing, receiving benefits, financial stability, protection from domestic violence, the ability to maintain family relations, and care for vulnerable family members does not just help those individuals, but provides a safety net for our entire community. Justice, and the protection of the legal system needs to be accessible to **all** and not just to those who can afford it.

I respectfully ask for your support of HB 2121. Thank you.

Sincerely,

Gavin K. Doi

February 24, 2016

Peter W. Olson
Direct Line: (808) 521-9385
Direct Fax: (808) 540-5059
E-mail: polson@cales.com

VIA E-MAIL

Committee on Finance
House of Representatives
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Re: HB 2121, Relating to Legal Services

To the Chair, Vice Chair, and Members of the Committee:

I am writing to support HB 2121.

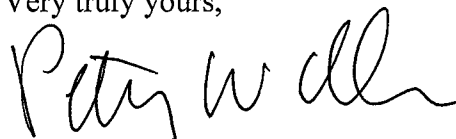
I am a partner in the Cades Schutte law firm, and it was my great honor and privilege to serve as the President of Volunteer Legal Services Hawaii ("VLSH") from 2011 to 2015. I remain on VLSH's board of directors.

VLSH coordinates and facilitates pro bono work by private practice attorneys for low and moderate income individuals in civil matters such as family law, adoption, divorce, and other civil disputes. Appropriations such as those requested here fund the organization's administrative functions, which in turn leverage the efforts of the private bar.

Based upon my years of service as officer and director of VLSH, and also as a volunteer attorney providing pro bono services through VLSH, I have witnessed first-hand the tremendously important and good work that VLSH does in coordinating and providing desperately needed civil legal services to Hawaii's low and moderate income populations. Those critical needs would likely go unmet if not for the safety net provided by organizations such as VLSH.

Organizations such as VLSH fulfill a critical function within our legal system by ensuring access to the legal system and justice for all. I urge passage of HB 2121 H.D.2 to ensure continued funding for these critical activities.

Very truly yours,



C S

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LATE

**FAMILY LAW SECTION
OF THE
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February 24, 2016

**TESTIMONY IN SUPPORT OF HB2121 H.D. 2
RELATING TO LEGAL SERVICES**

Committee on Finance
Thursday, February 25, 2016 at 1:00 p.m.
Conference Room 308

CHAIR LUKE, VICE CHAIR NISHIMOTO, AND COMMITTEE MEMBERS:

The Family Law Section of the Hawaii State Bar Association submits this testimony in **strong support** of HB2121 H.D. 2.

Hawaii's legal system operates best when each side has an opportunity to present their case to the Court. All too often, we see low and moderate income parties come before the Court ill-prepared, unable to afford counsel. There is a growing trend of pro se litigants in the Family Court, sometimes on both sides. Thus, it is very important that this group receive attention to ensure access to justice.

In support of access to justice in our community, many of our members regularly volunteer with programs through the Legal Aid Society, Volunteer Legal Services Hawaii, and the Kapolei Access to Justice Room. These programs provide low and moderate income litigants the opportunity to consult with legal counsel face-to-face. In addition, the judiciary has done a good job in putting court forms and information online to ensure that pro se litigants have access to as many resources as possible when preparing their cases.

Dedicated funds for civil legal services to Hawaii's indigent community is critical in ensuring that everyone benefits from the judicial system in as fair a manner as possible. Civil legal services that address basic living needs in Hawaii such as housing, receiving benefits, financial stability, protection from domestic violence, and the ability to maintain family relations, and care for vulnerable family members does not just achieve peace of mind for those individuals, but provides a safety net for our community, and in the long-run ensures that our legal system is accessible to all and not just to those who can afford it.

Please support HB 2121 H.D. 2. Thank you for the opportunity to be heard.

NOTE: The comments and recommendations submitted reflect the position/viewpoint of the Family Law Section of the HSBA. The position/viewpoint has not been reviewed or approved by the HSBA Board of Directors, and is not being endorsed by the Hawaii State Bar Association.

CARLSMITH BALL LLP

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February 24, 2016

VIA FACSIMILE: 1-800 535-3859

Committee on Finance
House of Representatives
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Re: H.B. 2121 – Relating to Legal Services

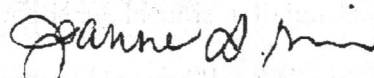
Dear Chair, Vice Chair Nishimoto and Members of the Committee:

I write to strongly support H.B. 2121 and the appropriation of general revenue funds for the purchase of civil legal services for low and moderate income individuals.

As Vice-President of the Legal Aid Society of Hawaii ("LASH"), I have first-hand knowledge of the vital roles that LASH and similar organizations provide to our community in ensuring that the most vulnerable members of our society have access to quality legal services to address basic needs such as food, shelter, and physical safety. My law firm, Carlsmith Ball LLP, recently received LASH's prestigious Leadership Circle Recognition Award in recognition of our firm's robust community involvement and its longtime support of LASH, particularly on Oahu, Maui, and the Big Island where our offices are located. Private contributions are not enough, however. Limited resources impair LASH's ability to provide these services to all who need them. Through the passage of H.B. 2121, additional funding will be available to increase the reach of LASH and enable LASH to assist more members of our community with their basic needs.

Thank you for the opportunity to provide testimony and for your careful consideration of this matter.

Very truly yours,


Jeanne L. Grimes

4851-0950-2510.1

HONOLULU

HILO

KONA

MAUI

GUAM

LOS ANGELES